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PRINCIPLES ON GENERAL RIGHTS AND OBLIGATIONS

Proposal submitted by China and by Pakistan on behalf of the States Members of the United Nations that are members of the Group of 77

RIO DE JANIERO CHARTER/DECLARATION ON ENVIRONMENT AND DEVELOPMENT

Principle 1. National sovereignty over natural resources

States have the sovereign right over their own natural resources. Pursuant to their own environmental and development policies, they have the responsibility to ensure that activities within their jurisdiction do not cause damage to the environment of other States or of areas beyond the limits of their national jurisdiction.

Principle 2. The human being as the centre of environmental concerns

Human beings are at the centre of environmental concerns. In this context, the quality of the environment is dependent on the satisfaction of basic human needs. Human beings should be guaranteed a healthy life, free from hunger, disease and poverty.

Principle 3. Right to development

The right to development is an inalienable right and therefore the development needs of all developing countries shall be treated as a matter of priority.

Principle 4. Integration of environment and development

States and international organizations shall address environmental issues in the process of development by integrating environmental concerns with the imperatives of economic growth and development.

Principle 5. Main responsibility

The major historical and current cause of the continuing deterioration of the global environment is the unsustainable pattern of production and consumption, particularly in developed countries. Thus, the responsibility for containing, reducing and eliminating global environmental damage must be borne by the countries causing such damage, must be in relation to the damage caused and must be in accordance with their respective responsibilities. All countries, in particular developed countries, shall make commitments to address their unsustainable patterns of consumption.

Principle 6. Equity

To meet the needs of present and future generations, considerations of equity must include damage caused to the environment in the past, the growth and development needs of the present generation and the apportionment of equal shares of global environmental space.

Principle 7. Special needs of the developing countries

A new form of international cooperation is essential for addressing sustainable development, in which access to and transfer of environmentally [safe and] sound technology on preferential and concessional terms as well as provision of adequate, new and additional financial resources are of paramount importance for the transition of developing countries to sustainable development.

Principle 8. Environment and trade

States shall cooperate to promote an international economic environment supportive of sustainable development. In this connection, the developed countries shall ensure that their actions are conducive to the growth of the world economy in general and the development of the developing countries in particular. Global environmental considerations cannot justify restrictive trade practices or new forms of conditionality.

Principle 9. Environmental, economic, social and cultural diversity

States shall respect and conserve ecological, economic, social and cultural diversity. Environmental standards that are valid for the most advanced countries may be inappropriate and of unwarranted economic and social cost for the developing countries. Therefore, environmental management objectives and priorities for the developed and developing countries, based on living standards, social and economic conditions as well as natural resource endowments, will be different.

States and peoples recognize the importance of the sustainable use of biological diversity as a fundamental factor of development and will strengthen their efforts in this regard.

Principle 10. Scientific understanding and research and development, and exchange of information

Research, free exchange and transfer of scientific knowledge and experience shall be ensured to strengthen national scientific and technological capacities in developing countries to protect the environment and promote growth and sustainable development.

Principle 11. Endogenous capacity-building

The efforts of the developing countries aimed at endogenous capacity-building in environment and development shall be supported, in order to enable them to take effective preventive and corrective actions.

Principle 12. International and transboundary movement of hazardous activities and substances

Measures taken in a specific country to reduce and/or control activities or projects harmful to the environment shall not lead to the displacement and transfer of these activities or projects to another country. Toxic and hazardous substances and wastes, dangerous genetically modified organisms, and radioactive wastes shall be treated at the point of generation. Transboundary treatment or disposal of these substances shall be banned. Measures shall also be taken to halt the international illicit traffic in toxic and hazardous substances and wastes. The countries of origin and entities involved in such activities shall bear the liability for compensation.

Principle 13. Contamination

States are responsible for the damage caused to the global environment by the use of all weapons of mass destruction. The use of weapons of mass destruction is a crime against both humanity and the environment.

Principle 14. Decentralized management of environment at the national level

At the national level, the management of the environment is best achieved when the issues are dealt with with the full participation of all citizens.

Each individual has the right to a clean and ecologically balanced environment, to be informed of the state of the environment and of all activities that have a negative impact on the environment and to participate in the decisions affecting their environment.

Principle 15. Environmental regeneration

Environmental regeneration is a common concern. Degraded ecosystems and ecological processes shall be rehabilitated. Areas affected by desertification, aridity and drought and areas vulnerable to sea-level rise also deserve special consideration. Therefore, all States and international organizations shall support such efforts of developing countries.

Principle 16. Special situation of the developing countries

The special situation of the developing countries shall be fully taken into account. Underdevelopment, poverty and environmental problems are closely interrelated and environmental protection in developing countries shall be viewed as an integral part of the development process and cannot be considered in isolation from it.

Full recognition shall be given to the special situation, realities and problems of the developing countries in the implementation of the principles of this Declaration.

Principle 17. The right of people under occupation

The environment and natural resources of people under occupation should be protected. Therefore, any policies or measures that may lead to the degradation of their environment or to the depletion of their natural resources shall be immediately halted.

Principle 18. Peaceful settlement of environmental disputes

States shall resolve their environmental disputes peacefully in accordance with the Charter of the United Nations.